

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ Airtel

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 2/23/87

To: DIRECTOR, FBI
 (Attn: [redacted] Domestic Terrorism Unit)

From: SAC, [redacted] (P)

Subject: HANK ASHER; ENCLP 3
 [redacted] ENCLP 3
 NEUTRALITY MATTER,
 PROTECTION OF FOREIGN OFFICIALS
 (OO: JK)

Re Jacksonville teletype to Bureau, 2/17/87, and telephone conversations referenced therein.

Enclosed for the Bureau are two copies each of USA, NDF, letter hand-delivered to Tallahassee Resident Agency on 2/13/87, and enclosures thereto.

As noted in re teletype, no action is being undertaken by Jacksonville in this matter pending instructions from Bureau. Domestic Terrorism Unit is requested to provide info copy of enclosed letter with enclosures to FBIHQ Supv [redacted]

2 - Bureau (encs. 2)
 2 - Jacksonville

(4)

Approved

Transmitted

(Number)

(Time)

1-CC DOJ/ISS, 1-CC Rm. 4251, 3-9-87

26 MAR 1987

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AIRTEL

4/24/87

Director, FBI

SAC, Jacksonville [redacted] (P)

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HANK ASHER; ET AL;
NEUTRALITY MATTER; PFO;
OO: JACKSONVILLE

Reference Jacksonville airtel to Director, dated 2/23/87.

The Department of Justice, Internal Security Section,
advised on 4/22/87, that a neutrality investigation is not warranted
in captioned matter.

1 - Mr. [redacted]
2 - Mr. [redacted]

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Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. &
Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

23 JUN 8 1987



U.S. Department of Justice

*United States Attorney
Northern District of Florida*

227 North Bronough Street, Suite 4014
Tallahassee, Florida 32301

904/681-7360
965-7360

February 13, 1987

[redacted]
Deputy Chief, Public Integrity Section
Department of Justice
Criminal Division
Federal Triangle Building
315 9th Street N.W.
Washington, D.C. 20530

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Re: Alleged government sanctioned assassination of the President of
Nicaragua

Dear [redacted]:

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Enclosed please find copies of two memorandums relating to
allegations of a government approved contract assassination of
the President of Nicaragua. They are forwarded for your review
and discussion with the Special Prosecutor and his staff, if you
deem appropriate. Copies will also be furnished to [redacted]
Chief of the Export Control Enforcement Section of the Internal
Security Division and Supervisory Special Agent [redacted] of the
FBI Tallahassee, Florida Resident Agency.

Please do not hesitate to call me at FTS [redacted] if I can be of
assistance.

Sincerely yours,

K.M. Moore
United States Attorney

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[redacted]
Assistant U.S. Attorney

copy: file

[redacted]
FBI SAS [redacted]

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[redacted]

Subjects mentioned:

1. HENRY EDWARD "Hank" ASHER

DOB 050951

FBI# 256346K4

SSN [redacted] (alt. [redacted])

2.

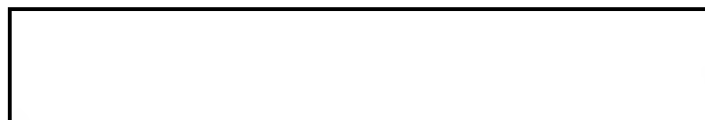
DOB [redacted]

FBI# [redacted]

SSN [redacted]

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Memorandum

DATE: February 3, 1987

REPLY TO: S/A [REDACTED]
ATTN OF: Gainesville, Florida R.O.

SUBJECT: Information of Special Interest

RECEIVED

FEB 13 1987

TO: [REDACTED] OC
DEA Headquarters

U.S. ATTORNEY,
TALLAHASSEE, FLORIDA OFFICE

1. On February 3, 1987, Acting ASAC [REDACTED] Miami District Office, was advised of the following facts.

2. On February 2, 1987, Class I cocaine violator [REDACTED] was scheduled for trial in the Northern District of Florida, due to his indictment under file number [REDACTED]. Several weeks prior to this date, a witness subpoena was served on a historical pilot of the [REDACTED] organization identified as Hank Asher. At that time, it was known to the Government that Hank Asher was represented by attorney [REDACTED]. Hank Asher was required to appear at the U.S. District Court, Gainesville, Florida, on February 2, 1987.

3. During the late P.M. hours of February 2, 1987, AUSA [REDACTED] received several telephone calls from Attorney [REDACTED] claiming that an embarrassment would be caused to the President of the United States if Asher was required to testify in open court.

4. The above facts were related to a co-pilot who flew with Hank Asher, identified as [REDACTED] admitted that he was aware of the circumstance [REDACTED] was referring to, however, [REDACTED] refused to discuss them at that time without consulting an attorney. Following the pre-trial briefing of [REDACTED] S/A [REDACTED] transported [REDACTED] back to the Alachua County Jail for detention.

5. While enroute to the jail, [REDACTED] reconsidered his previous position and told S/A [REDACTED] what he thought Attorney [REDACTED] was referring to.

6. In summary, [REDACTED] stated that Hank Asher had previously offered him [REDACTED] that those involved could not participate in any drug smuggling while involved in the [REDACTED]

OPTIONAL FORM NO. 10
(REV. 1-20)
GSA FPMR (41 CFR) 101-11.
5010-114

[redacted]

7. [redacted] stated that prior to initiating this operation, [redacted] and a second plan was devised which appeared suicidal to [redacted] advised that he declined further participation. [redacted] further stated that he never dealt with any Agent of the United States Government and was approached only by Hank Asher. [redacted] also felt that Asher's [redacted] was an unidentified man in Illinois, allegedly [redacted] or some type. Asher has previously advised [redacted]

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8. After placing [redacted] in the County Jail, S/A [redacted] returned to AUSA [redacted] and AUSA [redacted] for further trial preparation. At this time AUSA [redacted] advised S/A [redacted] that Attorney [redacted] claimed that Hank Asher had a document [redacted]

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[redacted] Attorney [redacted] described the document as a [redacted] [redacted] however, when questioned by AUSA [redacted] stated that the document is for something else [redacted]

9. [redacted] continued to state that Asher obtained the contract through an attorney in Indiana who [redacted] alleged was related to [redacted]

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10. While talking to AUSA [redacted] continued to state that he has gone through an ex-DOJ official to get an appointment to see Attorney General Meese and that he would be speaking to Meese the morning of February 3, 1987. [redacted] further advised that he might also call the President of the United States stating that the President does not need

this type of embarrassment over a simple drug case. [redacted] continued to question signatures on a Compulsion Order from the Department of Justice requiring Asher to testify and stated that the people who signed the Order were not authorized to do so.

11. During the late P.M. hours of February 2, 1987, AUSA [redacted] notified Acting U.S. Attorney [redacted] of the Northern District of Florida about the incident. It was decided at that time that Asher would be required to testify before a Federal Grand Jury in the Northern District of Florida to determine if any of the overt acts of the previously described conspiracy cause venue in the Northern District of Florida. b6 b7C

12. Further details relating to [redacted] and Hank Asher may be obtained from Chief [redacted] Headquarters, Washington, D.C.

13. [redacted] could not give a specific date of this incident, however, he estimated around 1982.

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[redacted]
Special Agent
Gainesville, Florida R.O.

cc: ASAC [redacted]
Chron File

Today's date is February 2, 1987. This is []

[] I am at the Cabot Lodge Motel in Gainesville, Florida, presently involved in trial preparation for the case of United States v. Ed Goldberg, a drug smuggling conspiracy to import cocaine that's presently underway this week in Gainesville, Florida, involving allegations that []

[] and other principals in the conspiracy imported into the United States a ballpark figure of 15,000 pounds of cocaine from Colombia and Mexico during the period of 1980-1985. One of the critical witnesses as to []

involvement in the case is a man named Hank Asher. Prior to November 1986, I learned that Mr. Asher had some very useful information; that he was represented by [] in Miami, Florida. [] firm had initially appeared to represent [] the defendant in this case. When I

learned that he also represented Mr. Asher in the case, I advised them that they needed to consider withdrawing because of potential conflict of interest. []

returned my call. He indicated that his associate had reported to him my suggestion that there was a conflict of interest because of his ongoing representation of the government witness Hank Asher and his proposed representation or that of his firm for the defendant [] He said he agreed with my assessment, that there was indeed a conflict of interest and that his firm would be withdrawing. Shortly thereafter there was substitution of counsel and

[] of Tallahassee was secured by whatever means to represent the defendant [] On November 18,

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1986 I had arranged through [] for Mr. Asher to appear in Tallahassee for the purposes of a debriefing. Present at the time of debriefing were myself and [] [] Special Agent with DEA. I requested [] [] secretary in the U. S. Attorney's office in Tallahassee, to prepare a subpoena requiring Mr. Asher's appearance at the trial of this cause on December 8, 1986 in Gainesville, Florida beginning at 1:00 p.m. She prepared such a subpoena and the subpoena was duly served upon Mr. Asher in my presence by SA [] on November 18, 1986. We have the original subpoena in our file. Mr. Asher was visibly upset by receiving the subpoena; asked us not to serve it and said he'd give us his word he would appear, that we had no idea what type of undercover activity this was going to disclose and that we should seriously reconsider. We advised him that the subpoena would remain in effect; that we would continue to evaluate the need for his testimony and make that decision after receiving a debriefing. He refused to continue the debriefing after briefly acknowledging that he had been involved in flying two different plane-loads of cocaine in for [] during 1982. Mr. Asher refused to continue the debriefing and left the room. Prior to the ending of this meeting, I had explained to Mr. Asher what his options were concerning the possible contempt citation or in the event he testified falsely, of possible perjury violations; I cautioned him that the Statute of Limitations had not run on his activity and that while we preferred to consider him as a cooperating

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witness in the case, that as long as he was cooperative and gave us truthful and complete testimony, that we would not consider viewing him as a potential defendant in the case. Shortly thereafter I had received a phone call from [] [] once again on behalf of Mr. Asher discussing several possibilities to avoid the public appearance of Mr. Asher at trial and testifying in open court. Prior to today's date (February 2), Judge Paul had entered an order requiring that any witnesses previously served for the December 8 date be required to appear at the February 2 trial date. The trial had been continued from December 8, 1986 to February 2, 1987 due in part to the death of the father of one of the attorneys in the case, [] I sent two letters to [] [] one advising him that a continuance had been ordered and as soon as Judge Paul's order directing the witnesses to continue under their originally served subpoenas was signed by Judge Paul, that I would furnish him a copy of the same. Upon Judge Paul's signing such an order, I mailed [] another letter asking him once again to remind Mr. Asher that the new trial date was February 2 and to advise him that the judge had directed the witnesses previously served to appear pursuant to the original subpoena on February 2, 1987 at 10:00 a.m. I heard nothing further from [] until last week. He advised that Mr. Asher would be testifying in Chicago on today's date, February 2, Monday. That he would be dropped off in Gainesville or accompanied to Gainesville Monday night by [] for the purposes of debriefing so that he could be called as a witness at the

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trial. This afternoon I was notified by my office in Tallahassee that [] had called and indicated there was going to be a problem and that he needed to talk to me tonight -- it was important to call him at home concerning Mr. Asher. I placed a call back to his office and asked them to get in touch with [] and told them that it was urgent that I talk to him about Mr. Asher because we would anticipate calling him as a witness at the trial of this cause on Tuesday, February 3, 1987. [] at roughly 9:00 p.m. tonight, called me. He indicated that he was in his plane and on a cellular telephone, flying over Jacksonville, Florida; that there was a problem in that they were now going to request a formal use-immunity order to be entered by the court and absent that, Mr. Asher would not be testifying. I informed [] that I had indeed applied for such authorization with the Justice Department and that authorization had been granted by [] the Acting Assistant Attorney General of the Criminal Division under the name of [] Assistant Attorney General of the Criminal Division, and I further informed [] that [] signature as Acting Assistant Attorney General was pursuant to 28 CFR, §0.132. [] indicated that [] did not have the authority to sign such an authorization; that certainly [] and [] did not realize the significance of what would very likely be a very high-profile embarrassment to the President of the United States and that he could not talk about it on the phone but would call me back personally when he got to a

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ground telephone. Approximately 40 minutes later, []
[] called again to my room here at the Cabot Lodge in
Gainesville, Florida. During the portions of my original
phone call, [] on today's date, there were present
at different times during my initial conversation with []
[] AUSA [] and SA [] of FDLE. They
heard my end of the conversation or portions thereof, at
least while they were in the room. When [] called
back he indicated that I had no idea what I was dealing with
here, that he knew not what my political persuasion was but
that if I wanted to architect a very high-profile embarrass-
ment to the President of the United States then I should
continue. He indicated that he would anticipate getting in
touch with a former Justice Department official that was in
professional association with him who would take immediate
steps in the morning, February 3, to arrange a personal
meeting with the Attorney General of the United States,
Edwin Meese III, and that he would report directly to the
Attorney General what I was trying to do. He reminded me
that I was just an Assistant U. S. Attorney and that what
was involved here was far more serious than any local drug
prosecution. He indicated to me that I was sadly mistaken
if I didn't think he could personally pick up the phone and
talk to Ronald Reagan immediately. I advised him that I
wished no personal embarrassment to the President of the
United States, that I was trying to do the best job that I
could in this drug prosecution, that we had taken all the
appropriate steps to produce Mr. Asher's testimony at trial

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and that I intended to call Mr. Asher as a witness in the trial and that on each day during the duration of the trial I would ask the bailiff to make search of Mr. Asher in the hallways and call his name as a witness and then pursue whatever contempt remedies might be available if Mr. Asher had not indeed appeared pursuant to the subpoena by the conclusion of the trial and testified on behalf of the government. [] indicated that if I wanted to play hardball and have a fight, he could do just that, that he had dealt with this problem previously []

[] and that he had one of two options, that he might have Mr. Asher appear and openly defy the court if the court entered an order compelling his testimony, or that he might have Mr. Asher testify freely as to the sensitive matter. Between the first and second phone calls from [] on today's date, [] was in my hotel room being interviewed in preparation for his trial testimony tomorrow. He had indicated to SA [] FDLE, that Mr. Asher had discussed with him []

[] I indicated to [] that I understood Mr. Asher would claim that

[] indicated that since I had gained knowledge of that, obviously by [], since he was the only other person that knew it, and since he had not initially disclosed it,

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that he would confirm that there had been [REDACTED]

[REDACTED]
tive of [REDACTED] who, according to [REDACTED] was a member of the bar in Valparaiso, Indiana, and that the last thing the President of the United States needed was this kind of public high-profile embarrassment especially since he had all the problems that he had right now with [REDACTED]

[REDACTED] indicated that Mr. Asher and [REDACTED]

[REDACTED] had been advised [REDACTED]
[REDACTED]

[REDACTED] Immediately at the conclusion of the second phone call with [REDACTED] I placed a call to the home of United States Attorney Mike Moore and informed Mr. Moore completely of [REDACTED] conversation with me on both occasions. I also talked to Lead Task Force Attorney [REDACTED] between the first and second phone calls of [REDACTED] U. S. Attorney Moore advised that I should place this matter on the record before Judge Davis in the morning that I should make every effort to memorialize this conversation so that my recollection could be refreshed as to the substance of my conversation with [REDACTED] in the event it was necessary at some future date. I discussed the possibility with U. S. Attorney Moore of continuing this matter before the grand jury of the NDFL to determine if indeed there was a violation of federal statutes and whether or not the U. S.

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District Court for the NDFL was the proper jurisdiction to pursue any violation of the U. S. laws pursuant to this

[REDACTED]

and to determine whether or not venue was proper in this district. I advised U. S. Attorney Moore that in the event he got any inquiries from the department on tomorrow's date concerning any of this, that I wanted him to be advised as to what had taken place. I also told U. S. Attorney Mooore that I had told [REDACTED] that unless and until the President of the United States or the Attorney General or some other commensurate authority in the Department of Justice had instructed us to withdraw the subpoena of Mr. Asher and not proceed with the motion to compel his testimony, that we would indeed move to compel his testimony and in the event he refused to appear and testify that the appropriate sanctions would be taken to have him held in contempt.

[REDACTED]

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FORMS.TEXT HAS 1 DOCUMENT

INBOX.17 (#1358)

TEXT:

JK00002 0482112

RR HQ

DE JK

R 172113Z FEB 87

FM JACKSONVILLE [REDACTED] (P)

[REDACTED] TO DIRECTOR, FBI ROUTINE

BT

UNCLAS

HANK ASHER: [REDACTED] NEUTRALITY MATTER; PROTECTION
OF FOREIGN OFFICIALS. OO: JK.

RE 2-13-87 TELCALL FROM TALLAHASSEE, FLA., SSRA [REDACTED]

[REDACTED] TO FBIHQ SUPERVISOR [REDACTED] AND 2-13-87 TELCALL
FROM FBIHQ SUPERVISOR [REDACTED] DOMESTIC TERRORISM UNIT,
TO TALLAHASSEE ASRA [REDACTED]

AS RELATED IN FIRST OF REFERENCED CONVERSATIONS.

AT APPROXIMATELY 5:15 P.M., 2-13-87, AUSA [REDACTED]
NDF, HAND DELIVERED TO TALLAHASSEE SSRA [REDACTED] A LETTER
DATED 2-13-87 FROM THE USA'S OFFICE, NDF, WHICH ENCLOSED
ONE COPY EACH OF A MEMO OF GAINESVILLE DEA AGENT [REDACTED]
[REDACTED] AND A FILE MEMO OF AUSA [REDACTED] RE CAPTIONED.

ALSO ENCLOSED WITH SAID LETTER FROM USA, NDF, WAS A COPY

RECEIVED
TELETYPE UNIT

18 FEB 87 03 52

FEDERAL BUREAU
OF INVESTIGATION

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22 JUL 4 1987

1 cc Room 4251.
47 AUG 9 1987

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for

PAGE 2, [] UNCLAS

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OF A LETTER FROM USA'S OFFICE, NDF, TO []
[] PUBLIC INTEGRITY SECTION, DOJ, WHICH REFLECTED
SAME MEMO ENCLOSURES SET FORTH ABOVE.

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A SUMMARY OF INFO CONVEYED THROUGH ENCLOSURES TO SAID
LETTER FOLLOWS: AUSA [] WAS THE LEAD PROSECUTING
ATTORNEY IN THE NDF PROSECUTION OF COCAINE TRAFFICKER
[] WHICH WAS TO CULMINATE IN TRIAL
ULTIMATELY SCHEDULED FOR 2-2-87. SUBJECTS HANK ASHER AND
[] WERE THE PILOT AND CO-PILOT, RESPECTIVELY,
FOR [] SMUGGLING ENTERPRISE AND WERE "COOPERATING"
IN THE PROSECUTION OF [] SUBJECT ASHER WAS REPRESENTED
BY ATTORNEY [] AND BOTH ASHER AND []
RESISTED EFFORTS OF GOVERNMENT TO HAVE ASHER TESTIFY IN
OPEN COURT. A SHORT TIME PRIOR TO THE TRIAL DATE, ATTORNEY
[] REPRESENTED TO AUSA [] THAT IF ASHER TESTIFIED,
PRESIDENT REAGAN WOULD SUFFER GREAT EMBARRASSMENT. THROUGH
SUBJECT, [] THE PROSECUTION LEARNED THAT THE
EMBARRASSMENT TO THE PRESIDENT WOULD STEM FROM []
[]
[] INDICATED THAT IN APPROXIMATELY 1982 ASHER OFFERED

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PAGE 3. [REDACTED] UNCLAS

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HIM ONE MILLION DOLLARS [REDACTED]

[REDACTED] AS AN UNIDENTIFIED MAN IN ILLINOIS. [REDACTED]

INDICATED [REDACTED]

[REDACTED]
DURING ONE OF MANY TELEPHONE CONVERSATIONS WITH ATTORNEY

[REDACTED] AUSA [REDACTED] ASKED IF THE FEARED EMBARRASSMENT TO
THE PRESIDENT INVOLVED A CLAIM BY ASHER THAT [REDACTED]

[REDACTED]
RESPONDED THAT SINCE THE INFO HAD APPARENTLY BEEN DIVULGED
BY [REDACTED] THE ONLY OTHER PARTY WITH KNOWLEDGE OF
THE INCIDENT. THAT HE, [REDACTED] WOULD CONFIRM THAT HIS
CLIENT [REDACTED]

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[REDACTED] WHEN
PRESSED ON THIS POINT [REDACTED] INDICATED [REDACTED]

[REDACTED] INDICATED ASHER'S

[REDACTED] WAS A VALPARAISO, INDIANA, ATTORNEY
RELATED TO [REDACTED]

PAGE 4. [REDACTED] UNCLAS

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IT IS NOTED [REDACTED] CLAIMED TO BE OFFERED [REDACTED]

[REDACTED]

ACCORDING TO [REDACTED] ASHER AND [REDACTED] WERE ADMONISHED

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[REDACTED] IF THEY PARTICIPATED IN DRUG

TRAFFICKING [REDACTED] AUSA [REDACTED]

ADVISED [REDACTED] THAT ABSENT A PERSONAL PHONE CALL FROM THE
PRESIDENT, ATTORNEY GENERAL, OR SIMILAR AUTHORITY, ASHER
WOULD BE EXPECTED TO COMPLY WITH THE SUBPOENA OR HAZARD
CONTEMPT PROCEEDINGS IN THE ALTERNATIVE. ASHER'S TESTIMONY
BECAME A NONISSUE WHEN [REDACTED] PLED GUILTY TO THE CHARGES
AGAINST HIM ON 2-2-87.

FOLLOW-UP INVESTIGATION OF FOREGOING IS BEING LEFT
TO DISCRETION OF THE BUREAU. COPIES OF USA, NDF, LETTER
WITH ENCLOSURES DESCRIBED ABOVE FOLLOW UNDER SEPARATE
COVER.

BT

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FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS
 Date 4/24/87

TO: DIRECTOR, FBI
 (Attn: [redacted] Domestic Terrorism Unit)

FROM: SAC, JACKSONVILLE [redacted] (C)

SUBJECT: HANK ASHER:
 [redacted]

NEUTRALITY MATTER -
 PROTECTION OF FOREIGN OFFICIALS
 (OO: JK)

ReJK airtel to FBIHQ dated 2/23/87.

On 4/21/87, AUSA [redacted]
 NDF, Tallahassee, Florida, advised that there have been
 no additional developments in captioned matter. He advised
 the entire matter was referred to [redacted]
 of the Department of Justice Public Integrity Section.
 He advised that no information has been received from
 DOJ Public Integrity Section.

Inasmuch as there have been no developments
 in captioned matter, this case is being placed in a closed
 status by the Jacksonville Division.

② - Bureau
 1 - Jacksonville

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7 APR 27 1987

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Approved: [redacted]

Transmitted [redacted]

(Number)

(Time)

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DEC 10 1987



U.S. Department of Justice

*United States Attorney
Northern District of Florida*

227 North Bronough Street, Suite 4014
Tallahassee, Florida 32301

904/681-7360
965-7360

February 13, 1987

[redacted]
Supervisory Special Agent
Federal Bureau of Investigation
Tallahassee Resident Agency
P.O. Box 1016
Tallahassee, Florida 32302

Re: alleged government sanctioned murder of the President of
Nicaragua

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Dear [redacted]

Enclosed please find copies of two memorandums I have forwarded
this date to [redacted] of the DOJ Public Integrity
Section. [redacted] is also the Department's liason with the
Special Prosecutor's Office.

Please review the enclosed materials and conduct whatever
follow-up investigation you deem appropriate so that an
informed decision can be made by this office on the prosecutive
merit of the allegations.

Sincerely,

K.M. Moore
United States Attorney

[redacted]
Attorney

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copy: file
U.S. Attorney Moore

